

that he did not consider Duffy's view, but Skibine believes that he came to the same conclusion based upon the merits.<sup>379</sup> He said his job was to make a recommendation, but he knew the ultimate decision would be made by the politicals – the Secretary and his staff.<sup>380</sup>

Manuel, who had been involved in gaming issues since at least November 1991, when Secretary Lujan appointed her to the gaming task force, said local opposition has always been problematic for off-reservation gaming applications and it was significant in the Hudson matter. Citing the Siletz application, she said even where the Secretary approved the application over local opposition, the Governor vetoed it. She also said Hudson was unique because the tribes were trying to establish a casino a great distance from their reservations in competition with other tribes. She did not think IGRA was supposed to be used to facilitate that competition.

Manuel noted that she considers Skibine to be a friend and colleague. She met privately with him a couple of times during the Interior consideration of the Hudson application and perceived that he wanted to find a way to approve the application. She recalls that he took a

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<sup>379</sup>Although Duffy attended several key meetings – Feb. 8 with opponents and congressmen; May 17 with the Four Feathers representatives; May 31 with Havenick and the Four Feathers lobbyists; and July 14 with Eckstein – and signed the bulk of the responses to congressional letters, he rejected efforts to characterize him as one of the decision-makers. Rather, he said he merely monitored the progress of the analysis. Because he believed it was going to be denied – which was consistent with his view of what the Secretary would do – he said he felt no need to intervene to advocate for a denial. Interior witnesses said they knew Duffy thought the application should be denied and that he spoke for the Secretary. No Interior witnesses disagreed with the ultimate conclusion that they believed Duffy espoused, only the basis for the denial.

<sup>380</sup>Penny Coleman, attorney at the National Indian Gaming Commission and a former DOI attorney, said she considers herself a close friend and colleague of Skibine's. She said they discussed the Hudson application generally and Skibine said he disagreed with the basis but not the decision to deny. Based on her experience in gaming matters going back to Sec. Lujan's 1991 gaming task force, she believed off-reservation gaming applications without local support were doomed.